

United States District Court
Eastern District of California

Gerald Spence,

Plaintiff, No. Civ. S 05-0188 LKK PAN P

vs. Notice

J. S. Woodford, et al.,

Defendants.

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Plaintiff is a prisoner, without counsel, seeking leave to commence an action against prison officials for civil rights violations in forma pauperis pursuant to 28 U.S.C. § 1915(a). This proceeding was referred to this court by Local Rule 72-302 pursuant to 28 U.S.C. § 636(b) (1). Pursuant to 28 U.S.C. § 1915(b) (1), plaintiff must pay the \$150 filing fee required by 28 U.S.C. § 1914(a) (2000). No initial partial filing fee has been assessed. However, plaintiff must make monthly payments of 20 percent of the preceding month's income credited to his trust

1 fund account. 28 U.S.C. § 1915(b)(2). The agency having custody
2 of plaintiff is required to forward payments from plaintiff's
3 account to the clerk of the court each time the amount in the
4 account exceeds \$10 until the filing fee is paid.

5 The clerk of the court shall serve a copy of this notice and
6 a copy of plaintiff's in forma pauperis application upon the
7 Director of the California Department of Corrections and deliver
8 a copy of this notice to the clerk's financial division.

9 Dated: April 26, 2005.

10 /s/ Peter A. Nowinski
11 PETER A. NOWINSKI
12 Magistrate Judge
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